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CONSIGNMENTS OF PADDY SOLICITED. Wm. M. GREEN WOOD.

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DISSTON'S CELEBRATED SAWS AND PILES, ALL SIZES: Boost & Anchorn's and Stabb's Pites, Hammers for Carpenters, Machinists, Blacksmiths & Horreshoers, and Whenchin Nath, all sizes; Horse and Muie Shos Nails, Gaty Nails, Cut Spikes, Horse & Muie Sho

Latest Improvements in Shelf Hardware

STAPLE DRY GOODS Der, Sami Fax. Tickings, A.C.A.; B. and D. Blenched and Unblesched Cottone, Bussia Dia; we and Blenched Drille, Lilies Sherting, Mosquilo Lare Net, Blue and Scarles Flanne), Sing Association of White Flance, Alm.

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For Kerosene Oil We Offer THE PALACE, and Guarante

it cannot be beat for quality or price; also, THE

VULCAN, a good oil and above test: WOODWARD & BROWN'S CELEBRATED PIANOS

The Cheapest Good Piano: New Raven Organ Co.'s Parlor Organs

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Fowler's Patent Tramway, of perul Mails, 51 pound Rails,

With Patent Steel Sleepers

Steel Rails FORTABLE OR PERMANENT Railways! 15 ft, lengths; 14 lbs. to the yard

Hawaiian Gazette. WEDNESDAY, JANUARY 21 1885

In Equity REBECUA HOWLAND VS. KAPIKA NAONE AND HER "HUSBAND ALAKEMA NAONE. DESCRIPTION

Before Justice Austin. Opin This is an action in Equity to set aside to

The plaintiff claims to be entitled to the preperty as able devises of Raham dec and, the former bushend of defendant applies, by a will bearing date October 20, 1882, and daly proved March 25, 1884.

The deeds bear date respectively November 17, 1882 and were duly acknowledged on that day, and duly recorded on the 25d day of No-

rember, 1882. One of the deeds was from Ka asu deceased, to the defendant Alakema Na the and the other deed was from him to the defendant Kapika, the wife of deceased, and oth were executed with the apparent intention of vesting the property in her because she was Kalaan's wife. Kalaan died on the 2nd of February, 1884, and was then a man of ever eighty years of age. For many years he had been nearly blind, but until within two or three weeks of his death was able to walk to get about his own premises without At the time of the execution of the will and deeds and thereafter till a vec few days before his death his mind was usually clear, and he could see and recognize those people be knew and talk rationally with them. He was feeble both in mind and body owing to his great age, but he was not insure. He was of fair understanding for one of his years. Doubt-less when he executed the will and deeds referred to, and a prior will in favor of his wife dated July 30, 1881, he was of sound mind, and of sufficient capacity to make such instru-

But twenty days passed between the signing of the will to the plaintiff and the deeds to the defendants. There is no proof of change in his brain power during that time. In order to recover then, the plaintiff must show that Kalasu was deceived and cheated and did not know what the deeds meant, and did not intend to vest the land in his wife—that he was unduly controlled and influenced by the defendants, and by them or one of them induced to do what he did not comprehend. defendants, and by them or one of them induced to do what he did not comprehend.

The testimenty bearing on those points is
voluminous on both sides. Kalaan and Kapika were married in 1874 and lived together
in harmony until sometime after the execution
of the will in Kapika's favor bearing date
July 30, 1881. After that, and at the time of
the making of the will of October 29, 1882, in
favor of the plaintiff, the plaintiff's proof tends
to show that Kapika was untrue to her marriage vow: that the defendant Alakema Naone was her paramour, that Kalaan knew it
and therefore felt hostile to her and designed
to disinherit her on that secount by the will and decrease left hostile to her and designed to disinherit her on that account by the will to the plaintiff. The plaintiff's proofs also tend to show that Kapika failed many times pro-perly to attend to the physical wants of Ka-

aau during the last year of his life.

The defendants were married about six months after the death of Kalaau. They both months after the death of Kalaau. They both swear that they were not guilty of adultery together and their proof tends to show that Kalaau was well and faithfully treated by Kapika as his wife up to the time of his death. Kapika is still a young woman apparently about thirty years old, and her husband is apparently younger than she.

Kalaau and Kapika had no children, and by the proof Kapika was Kalaau's sole heir.

y the proof Kapika was Kalaau's sole heir-f so, but for the will to the plaintiff, Kapika, rould have taken all the property by descent, and half of it, in addition to dower, in any

By the deeds to defendants, Kalaan reserved

The plaintiff is a woman of middle age and wore that she was an old friend of Kalaau, ough not a relative-that she had known though not a relative—that she had known him from childhood and in her girlhood had staid at intervals in his family. Just before the will was drawn she visited Kalaan's house and learned that he was staying with his wife in rooms adjacent to Queen Kapiothat he said he did not want to make a deed but a will to her, because if he deeded to her she would not take care of him. Plaintiff says she told him to deed half to his wife but he said no, as his wife did not take

ollected his rents.

About December 28, 1882, plaintiff and Kuas she had bought the land of Kalaau. They went to Kalaau's house and plaintiff's version f the ensuing quarrel is that she told him she ad seen the notice by his wife that she had ought the land of him, and he at once became very angry. He said he did not sell his place and that plaintiff must go to the lawyer Hatch with him. He asked his wife if he had lawyer to annul the deeds. Kapika however swears that Hatch usked Kalaau if he wished failed to get a straight story, and went away, and in four or five days returned and saw Kalaau and his wife only. The plaintiff was not then present. Kalaau's mauner had changed. He was quiet and said "it is done, it will do." Mr. Thurston's impression was that Kalsau was cowed down by outside influence. Kapika says that at the quarrel the plaintiff and Kukahiko told Kalsau that he had lost his land and would be like a beggar in the streets

if his wife had a mind to turn him out. He asked "will that be so!" and they said "yes," and in consequence of that Kalaau got angry with Kapika. That she did not tell him he ot sold his land.

From the plaintiff's evidence of Kapikas's indelity, and the lack of care to Kalasu, and issent to the deeds, with his feebleness of nind and body the plaintiff claims that she must prevail. That it is impossible to believe the intended to do what was done by the deeds. As against this however come the atron-proof of Hatch, and Widemann the acknowledging officer. Mr. Hatch says that defendant and Kalaau and the sister of Alakema were present—that he thinks Kalaau handed him

the Royal Patent. That he asked who was to be the grantee in the deed—that they replied Kapika—but he don't know who replied—that he then explained that Kalsau could not deed directly to his wife, but must deed to a third deeds in Hawaisan and went near the parties and read the deeds slowly to Kalaau. He assented to them, saying yes from time to time as they were read to him. Then Judge Widemann was called in and Hatch asked him to explain the deeds to the old man and he did so. Judge Widemann confirms the testimony of Hatch and says he took special pains to explain the matter to Kalaau and believes he understood it fully. If he understood the will to the plaintiff and then knew the difference between it and a deed, I do not see how he could fail to understand these deeds. At the quarrel he suggested the name of Hatch as the lawyer who he said had wronged him; six weeks had passed but he remembered him. How can we believe he did not knew what was done by Hatch and was so carefully explained to shim. The plus dissect is me sufficient to show that he deeds. It may have been simulated in suggested, to goldly Miss. Howland. It may have been simulated in suggested, to goldly Miss. Howland. It may have been simulated in suggested, to goldly Miss. Howland. It may have been simulated in suggested, to goldly Miss. Howland. It may have been simulated in suggested, to goldly Miss. Howland. It may have been simulated in suggested, to goldly Miss. Howland. It may have been simulated in suggested, to goldly Miss. Howland. It may have been simulated in suggested, to goldly Miss. Howland. It may have been simulated in suggested, to goldly Miss. Howland. It may have been simulated in suggested, to goldly Miss. Howland. It may have been simulated in suggested, to goldly Miss. Howland. It may have been simulated in suggested, to goldly Miss. Howland. It may have been simulated in suggested, to goldly Miss. Howland it has a suggested, to goldly Miss and to the way of health I have nothing more to say. Take any medicine and abuse it and it becomes a great evil."

"No matter, I

was unitrue.

Fer fourteen scotles after the quarrel he failed to bring an a set aside the deeds. He sent for the plaintiff and asked for the rent she had collected for him. It is unmatural to believe he was in fear all this time. The nature of the quarrel shows that he then had no fear of Kapika. The oridence does not convince me that he was ever in fear or coerced. The evidence of constant neglect seems unreliable, and, if he intended to constant to the deed, is futile. It is only important as tricilly sober. I only mention the fact of drunkenness to assure you that the brandy will know how to act it will not be surprised when you swallow it, but will go quietly to work."

"And you think that brandy will cure me."

"Taken as I direct, yes."

"The Lord knows I have suffered enough. When you go by the drug store I wish you want to send me up a quart."

Against such attempts on his good nature thereafter, it may be the old man was willing to guard, as he did by the deeds. His acts above that he may have repeated the execution of the will

of the will.

The evidence of Mr. Kinney of dishonest proposition by defendant Alakema as to deed or r-lease which possibly may have referred to instrument by Kalaan, though there is no proof of it, occurring long after the deeds were executed, may cast suspicion on his acts and evidence, but the case is strong without him. Other ear-marks, showing shades of untruth, appear on both sides, but there is not enough to countervail the strong showing of the free execution and delivery of the deeds by competent grantor.

For these reasons the bill must be dismissed

S. B. Dole for plaintiff; F. M. Hatch for defendant. Dated January 7, 1885

Supreme Court-January Term 1885. HENRY TURTON VS. JNO. M. KAPENA, MINISTER OF FINANCE.

referring to the agreed statement facts and the exhibit annexed it appears that the assessor added to the valuation of the several items of plantiff's estate the amount of several items of plantiff's estate the amount of two mortgages upon the property described in the assessment. This is clearly an error, and could only have been made by a singular mis-understanding of the language of Section 24 of the general tax act, Chapter XLHI of the laws of 1882, found at p. 121 of the Compiled Laws which is as follows—"In respect of the amount of the money due on such mortgage be shall buy the tax thereon, which teament he shall pay the tax thereon, which payment shall be deemed to be a payment made by the mortgager to the mortgage on account of interest, or of principal and interest as the case may be, and all money so paid by a mortgager shall be allowed for in the accounts be-

gor shall be allowed for in the accounts between the mortgagor and the mortgages."

The intent of this sectiom is that the tax upon property shall be paid in full by the owner thereof, without deduction, as to the Government, for the amount of the mortgage upon it, the mortgagor thereafter deducting the amount which he has paid for account of the mortgages. the mortgagee.

Let judgment be entered for the plaintiff.

E. Preston for plaintiff; Attorney-General

for defendant." Honolulu, January 6, 1885

Our Paris Letter. Paris, December 3, 1881. THE RESULT OF CRIME, We have had a sort of God-send drama; it has cleared away the last dregs of cholera ap-prehension from the public mind. Clovis figures, a distant relative of the Capets, is one of the deputies for Marseilles. He is young, an out and outer, to be let alone: he made his debat, by killing his adversary, a brother journalist, in a duel. There was blundering somewhere, as such meetings are ordinarily only a whet for a reconciliation dejeuner and the consumption of a barrel of oysters. He is a poet too, grinds stanzas by the hour, and that one can understand, which is an advantage the great poets of the age do not possess. And he will show you the mechanism of recling off verses. Excepting his communist politics he verses. Excepting his communist politics he is a right good fellow. He ought to have his hair cut: it has a three-piano-Professor shagginess. Perhaps he fears the consequences which hefell Sampson. He married a few years ago, a very protty wife, a model of affection. When I say she has three very handsome children, and nurses them herself, for the maintains woman has her duties as well.

she maintains woman has her duties, as we as her rights, it is impossible to pay her higher compliment. Madame Lenormant, has been an old maid, and having plenty of money found no difficulty in obtaining a young ha band. Soon Le grew tired of the dove-co band. Soon Le grew tired of the dove-cote. Ultimately he resumed his bachelor life. Madame desired vengeance. She was of a jealous nature, and sickly. Before dying she set her heart and purse on obtaining a legal separation. She applied to one of the dens of iniquity which abound in Paris, a "Private Inquiry" office, to spy her husband and work up evidence of his misconduct. Calypso, as our Telegrachus dws. inform us could not be conouse and learned that no as wife in rooms adjacent to Queen Kapioian's stables. She went and found him there is soled for the departure of Ulyases. One Morio, soled for the departure of Ulyases. One Morio, soled for the departure of Ulyases. One Morio, and apparently uncared for. Alakema and Kapika were also there. Kapika says the rooms were rooms of Alakema's sister. Kapika were rooms were rooms of Alakema's sister. Kapika says the land soled for the departure of Ulyases. One Morio, and apparently uncared for. Alakema and kapika were also there. Kapika says the rooms were rooms of Alakema's sister. Kapika says the land soled for the departure of Ulyases. One Morio, and apparently uncared for the departure of Ulyases. One Morio, soled for the departure of Ulyases. One Morio, and apparently uncared for the departure of Ulyases. One Morio, and apparently uncared for the departure of Ulyases. One Morio, and apparently uncared for the departure of Ulyases. One Morio, and apparently uncared for the departure of Ulyases. One Morio, and apparently uncared for the departure of Ulyases. One Morio, and apparently uncared for the departure of Ulyases. One Morio, and apparently uncared for the departure of Ulyases. One Morio, and apparently uncared for the departure of Ulyases. One Morio, and Expika super land the departure of Ulyases. One Morio, and Expika super land the departure of Ulyases. One Morio, and Expika super land the departure of Ulyases. One Morio, and Expika super land the departure of Ulyases. One Morio, and Expika super land the departure of Ulyases. One Morio, and Expika super land the departure of Ulyases. One Morio, and Expika super land the departure of Ulyases. One Morio, and Expika super land the departure of Ulyases. One Morio, and Expika super land the departure of Ulyases. One Morio, and Expika super land the departure of Ulyases. One Morio, and Expika super land the departure of Ulyases. One Morio, and Expika super land the departure of Ulyases. One Morio, and Expika super land the departure of Two or three days after that the will to plain-tiff was drawn by a native, Kukahike, pro-cured by plaintiff at Kalaau's request. Plain-was one of M. Lenormant's many mistresses, was one of M Lenormant's many mistrat's capress of wan to That lady was now Madame Hugues. husband sought Lenormant, to shoot him, bu that gentleman asserted he never saw the young lady in his life, and that his wife was insane. Madame Hugues called on the wi care of him. For a couple of months thereafter plaintiff furnished food to Kalaau and

and carried a revolver in her muff. She had determined to shoot Madame Lenormant, but the woman was dying. She, nevertheless gave the history of the evidence, which was a rekalike saw a notice pasted on a fence on Kala-au's premises, signed "Kapika" in substance forbidding the payment of rent to any body else as she had bought the land of Kala-au's premises, signed "Kapika" in substance and his wife against Morin. This consum-mate scounded trave attaching. mate scoundrel gave starving wretches a meal to concoct and swear to calumnies. Fifteen months ago he was condemned to a fine of 300 france, and two years imprisonment for defaming Madame Hugues. He has used every arti fice of the law to appeal, and keep the scandal before the Courts. A few days ago the final appeal was down for hearing; it was postponed Hatch with him. He asked his wife if he had sold his property and she said no he started to go and his wife held on to him and they quarreled and struggled and fell down together. Mrs. Howland says Mr. Hatch was sent for and came and said he drew the deeds, sent for and came and said he drew the deeds, and Kalsan said he did not understand it so.

The rough the ro ber revolver at Morin, lodging four of the balls in his body. He fell mortally wounded, and to set aside the deed and he said "no." Mr.
Thurston came the same day with Kukahiko,
and Kalsau showed anger and said that the
land was his—that he had no said that the and Kalaou showed anger and said that the land was his—that he had not sold it—that there was a fraud about the land. Mr. Thurston failed to get a straight story, and went away, and in four or five days returned and saw Kalaou and his wife only. The plaintiff was not the dead executed, he embraced her and said.

"You have done well my angel; your sufferings are at an end." I do not remember any drams which has created such a sensation. The money-making play, "Le Maitre de Forges," has been succeeded at the Lymnase Theater by "Le Ronde de Commissaire," a our act comedy, by Messrs. Meilhac and Lille. It is next to a downright failure. Three minent dramatists only awell the list of dis-inguished breakdowns of all new pieces thus ar brought out this season.

To be some the season.

Zola's novel, Germinal, has reached its third chapter; he is already accused, as if he were a Sardou, of piracy. M. Telemeyer states, it is next to a verbatim copy of his "Grison," published three years ago, and supplies the parallel extracts. It is for the Society of Authors to propose A new gas, prepared from the distillation

of horse bones is announced. It surpasses the electric light it seems in purity and cheapness, and above all, which is a great recommendation, never goes (suddenly) out.

Not Through Weakness-

Col. Thomas Gadlayer, prominent before he country, as an able supporter of the proparty and from a third party to his wife, and biblion ticket, has been for years a dyspeptic.

Suggested Alakema to be the third party and The hard work of the campaign and forced ir-Kalaau said "yes." That he then wrote the edges in Hawaiian and went near the parties such an extent that his friends seriously feared and read the deeds slowly to Kalaau. He as-

unfaithful but if so be seems to have forgiven her or at least not to have sought any remedy against her; such forgiveness is not improved able. He had lived with her for many years. As his wife abe had a right is sex him to provide for her. But no similarno esseking that is proved and no under influence ought to be inspected in the case. "Circumstances of mero suspicion leading to no certain results will not be deemed a sufficient ground to establish frand." Story Eq. Jur. Sec. 190.

There are circumstances of suspicion on both sides. There is no good reason for making the provided of the case of t

properly handled." He arcse and stood with his elbow on the manielpiece. "How I suffered from this terrible disease. I'll take another spoonful." He measured another spoonful. "Ah, had—von—the vile stuff! What's the use talking this way? I act as though I am afraid some terrible calamity will happen if I am found in its presence. I haven't felt so well for many a day. Medicine. Well yes." Here he turned up the bottle, and, as the boys would term it, took a pretty stiff driuk. He walked out into the garden and began a conversation with an old preity stiff drink. He walked out into the garden and began a conversation with an old negro who stood by the fence. He was pleased to see that his ignitability of temper had left him, and that instead of being nervous and easily startled he laughed when the dog ran against him. He went into the house and took another drink. Then he sat down and read a newspaper. He lauged at a humorous article, lout his place, began reading the cotton market report, but continued to laugh. Pretty soon be took another drink, leaned on the mantlepiece, crossed his legs and mused; "If I ain't cured, Salan's a hog. The days of miracles are not yet over. What. Miracles over? Well, I should say not." He took another drink. "A man who says that miracles are over is of the short-horn stock. Miracles over! Whoever heard of the like?" He went to the window. "Say there!" he called

went to the window. "Say there!" he called to a man on a wagon, what'll fon take for that load of wood?" "Whoa. What you say?"
"What'il you take for that load of wood!"
"This ain't wood, it's hay.
"That's all right, how's the folks?"
"Git up!" lashing his horses.
"Won't you step and have a drink?"
"Whoa." The farmer came in and took a drink. The

lonel took one. "Sit down said the host. No, I am't got time."
"Well, have another drink?" "I'll jine you."
The farmer and the Colouel drank. The Colouel laughed and the farmer, drawing the sleeve of his jeans coat across his wouth grin-

"My Lor, thar goes my team," shouted the countryman, rushing from the room. "Whee, thar, whos!"
"I'll help you!" generously exclaimed the Colonel. They rushed through the streets yelling whoa! The Colonel thought he saw a mud-hole away down the street, but before he could check his wild career he ran into it. When he came out he was recking with ooze. During his absence his wife returned. While During his absence his wife returned. While he was fumbling with the gate latch she came to the door and said: "Go on away from here; we haden't anythin

or you."
"Jule, don't you know me?"
"My Lord o' heavens! What on earth's the "Nothin' matter on earth. Trouble's down the earth. Got a case knife about you?" "You good for nothing wretch, you got drunk on that brandy. You ought to be ashamed of rourself to be so weak." "Wasn't 'cause I was so weak, love; 'cause the brandy was so strong. Whoop! bring it the returns."

Local item in daily paper: "Owing to severe attack of dispepsia, Col. Thomas Gad-layer, the great temperance erator, will not speak at the opera house to-night."—Arkanas Traveler.

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ne made Creams and Carameis, all varietie daily, Finest selection of Imported Candie' 's Celebrated Boston Lozenges, finest gromat y in the market. NUTS and BON-BONS. Smoke! Smoke! Smoke!

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